



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of

WENDEROTH et al

Atty. Ref.: 3557-43

Serial No. 10/536,806

TC/A.U.: 1751

Filed: May 27, 2005

Examiner: Ogden, Jr.

For: COOLANT BASED ON AZOLE DERIVATIVES CONTAINING 1,3-
PROPANEDIOL FOR FUEL CELL COOLING SYSTEMS

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Your petitioner, BASF Aktiengesellschaft, a corporation having a place of business at Ludwigshafen, Germany 67056 represents that it is the assignee as recorded in an assignment at Reel 017104/Frame 0575, of all right, title and interest in and to U.S. Patent Application Serial No. 10/536,806, filed May 27, 2005 (hereinafter "the above-identified application").

Your petitioner also represents that it is the assignee as recorded in an assignment at Reel 015052/Frame 0782 of all right, title and interest in and to U.S. Patent Application Serial Nos. 10/477,463 filed on November 12, 2003 (hereinafter "the '463 application"), 11/253,754 filed on October 20, 2005 (hereinafter "the '754 application") ; and 11/448,737 filed on June 8, 2006 (hereinafter "the '737 application").

Your petitioner hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent granted on the '463 application, the '754 application and the '737 application and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to such patent granted on the above-identified application shall be the same as the legal title to the '463 application, the '754 application and the '737 application, this agreement to

run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent granted on the '463 application, the '754 application and the '737 application in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The evidentiary documents accompanying this document or referred to above have been reviewed by the undersigned and it is certified that to the best of the assignee's knowledge and belief, title is in the assignee seeking to take action.

The undersigned is an attorney or agent of record.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

BASF Aktiengesellschaft

By:



Bryan H. Davidson

Attorney of Record, Reg. No. 30251

Date: Nov. 17, 2006

Terminal disclaimer fee under 37 C.F.R. § 1.20(d) included. If missing, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.